

From: [Carlos Sanchez](#)
To: [Gloria-Small Moran](#)
Cc: [Donald Williams](#)
Subject: Re: Fw: Arkwood Site - REPLY
Date: 05/01/2012 01:17 PM

Gloria,

(b) (5)

Carlos A. Sanchez
Chief, AR/TX Section
Region 6, Superfund Division (6SF-RA)
sanchez.carlos@epa.gov
(214) 665-8507

▼ Gloria-Small Moran---05/01/2012 12:09:41 PM---Hi Carlos: Can we meet today for a few minutes to discuss the use of the agreements to obtain acces

From: Gloria-Small Moran/R6/USEPA/US
To: Carlos Sanchez/R6/USEPA/US@EPA
Cc: Donald Williams/R6/USEPA/US@EPA
Date: 05/01/2012 12:09 PM
Subject: Re: Fw: Arkwood Site - REPLY

Hi Carlos:

(b) (5)

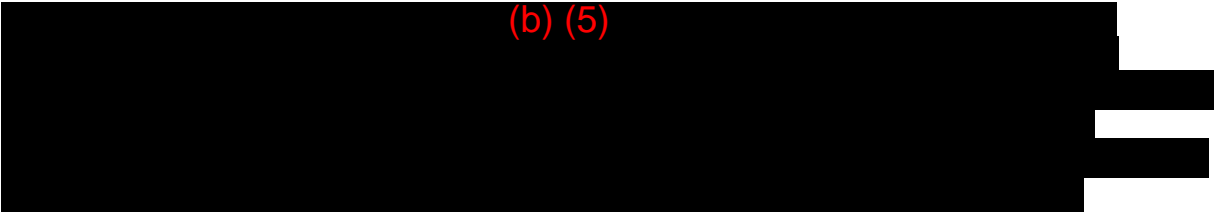
Gloria Moran
Assistant Regional Counsel
Superfund Branch (6RC-S)
U.S.EPA, Region 6
1445 Ross Avenue
Dallas TX 75202-2733
214-665-3193
214-665-6460 (fax)
moran.gloria-small@epamail.epa.gov

▼ Carlos Sanchez---05/01/2012 06:58:22 AM---If EPA, ADEQ, and Mckesson have

concluded that the cleanup (soil/surface) is completed and is protec

From: Carlos Sanchez/R6/USEPA/US
To: Gloria-Small Moran/R6/USEPA/US@EPA
Cc: Donald Williams/R6/USEPA/US@EPA
Date: 05/01/2012 06:58 AM
Subject: Fw: Arkwood Site

(b) (5)



Carlos A. Sanchez
Chief, AR/TX Section
Region 6, Superfund Division (6SF-RA)
sanchez.carlos@epa.gov
(214) 665-8507

----- Forwarded by Carlos Sanchez/R6/USEPA/US on 05/01/2012 06:51 AM -----

From: John Edgcomb <jedgcomb@edgcomb-law.com>
To: Gloria-Small Moran/R6/USEPA/US@EPA
Cc: Carlos Sanchez/R6/USEPA/US@EPA, Shawn
Ghose/R6/USEPA/US@EPA, "Mescher, Jean"
<Jean.Mescher@McKesson.com>, "Ungvarsky, Carole"
<Carole.Ungvarsky@McKesson.com>, "das.smcrrh@mac.com"
<das.smcrrh@mac.com>
Date: 04/30/2012 06:27 PM
Subject: Arkwood Site

Dear Ms. Moran:

As you know, Mr. C.C. ("Bud") Grisham, Sr. is now bringing visitors onto the Arkwood NPL Site. As you know, he has given notice that he plans to bring one or more additional visitors on the Site on Wednesday, May 2, 2012. We are trying to reach reasonable accommodation with him with regard to having the visitors sign an appropriate Visitor Access Agreement. In an effort to avoid further disputes with Mr. Grisham on this issue, we would like to know as soon as possible whether USEPA Region 6 has any objection to McKesson requiring Mr. Grisham to notify his visitors in advance that they will have to execute the attached form of agreement before obtaining access to the Site, and if so, the basis for that objection. McKesson is not requiring Mr. Grisham Sr. to execute the agreement.

The reasons for the Visitor Access Agreement are, among others: 1) to give notice

to the visitor(s) of the Site's contamination history; 2) to provide protection to the existing site engineering controls, including the topsoil and grass cover, and remediation equipment; and 3) for McKesson's protection, given the limited indemnity obligation provided to the Ormond Group (including Mr. Grisham) for claims by non-governmental entities arising out Site investigation and remediation activities set forth in Article 5 of the Settlement Agreement between the Ormond Group and McKesson, et al. (see attached). We will be requesting Mr. Grisham to cooperate with McKesson in obtaining and providing visitor's signatures pursuant to Section 9.2(c) of the Settlement Agreement.

Please let me know EPA's position at your earliest convenience. Please call me if you would like to discuss this matter at your convenience.

Regards, John

John D. Edgcomb

Edgcomb Law Group

115 Sansome Street, Suite 700

San Francisco, California 94104

T 415.399.1555 | F 415.399.1885

www.edgcomb-law.com

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[attachment "2012-0430 Ex. A, Visitor Access Agreement, Arkwood Superfund Site (00032163).PDF" deleted by Gloria-Small Moran/R6/USEPA/US] [attachment "1987-1231 Executed Settlement Agreement, Ormond Group and MMI (00012278).PDF" deleted by Gloria-Small Moran/R6/USEPA/US] [attachment "2012-0430 Visitor Access Agreement re Arkwood Inc. Superfund Site (00032063-2).pdf" deleted by Gloria-Small Moran/R6/USEPA/US]